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February 14, 2000

In re the Application of

Applicant: **YACCARINO III, et al.**

Title of Invention: **COMPOUND BONE STRUCTURE OF ALLOGRAFT  
TISSUE WITH THREADED FASTENERS**

The Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Sir:

I am enclosing herewith for filing in the United States Patent and Trademark Office an application in the name of the above small entity Applicant. The filing fee for this case has been computed as follows:

Basic Filing Fee .....	\$345.00
17      Claims in Excess of 20 (\$9.00 each) .....	\$153.00
09      Independent Claims in Excess of 3 \$39.00 each) .....	\$351.00
Total Filing Fee .....	\$849.00
Assignment Recordation Fee .....	.00
TOTAL FEE ENCLOSED ..... \$849.00	

My check is enclosed.

If the check is insufficient or deficient, kindly charge our Deposit Account No. 07-1340 as required. A duplicate copy of this transmittal is attached.

Please identify this application on the Official Filing Receipt as Attorney Docket No. X-9304.

Respectfully submitted,

**GIPPLE & HALE**

John S. Hale  
Registration No. 25,209

JSH:ams  
Encls.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yaccarino et al

Attorney's  
Docket No.: X-9304

Serial or Patent No.:

Filed or Issued:

For: COMPOUND BONE STRUCTURE OF ALLOGRAFT TISSUE WITH  
THREADED FASTENERS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) and 1.27(b) - SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: MUSCULOSKELETAL TRANSPLANT FOUNDATION

ADDRESS OF CONCERN: Edison Corporate Center, 125 May Street, Suite 300  
Edison, New Jersey 08837

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 person. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly, or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled COMPOUND BONE STRUCTURE OF ALLOGRAFT TISSUE WITH THREADED FASTENERS by the inventors, JOSEPH A. YACCARINO, III; ARTHUR A. GERTZMAN and RAYMON FERRARA, described in:

the specification filed herewith  
 application serial no. \_\_\_\_\_, filed \_\_\_\_\_.  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below\* and no rights to the invention

are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

[ ] INDIVIDUAL      [ ] SMALL BUSINESS CONCERN      [ ] NONPROFIT  
ORGANIZATION

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

[ ] INDIVIDUAL      [ ] SMALL BUSINESS CONCERN      [ ] NONPROFIT  
ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: ARTHUR A. GERTZMAN

TITLE OF PERSON OTHER THAN OWNER: Vice President - Research and Development

ADDRESS OF PERSON SIGNING: Edison Corporate Center, 125 May Street, Suite 300

Edison, New Jersey 08837

SIGNATURE

DATE

*Arthur A. Gertzman*

*14 Feb. 2000*